

MAR 16 2010

U.S. DISTRICT COURT  
IN THE UNITED STATES DISTRICT COURT, DISTRICT OF UTAH  
CENTRAL DIVISION

UNITED STATES OF AMERICA, ex rel. JASON R. ELLSWORTH, and JASON ELLSWORTH, individually, and R. GRANT SMITH, individually,

Case No. Case No. 2:09-cv-353-*JG*

**ORDER UNSEALING CASE**

Plaintiffs,

vs.

UNITED BUSINESS BROKERS OF UTAH, LLC, UNITED MERGERS AND ACQUISITIONS, LLC, UNITED MERGERS AND ACQUISITIONS CONSULTANTS, INC., UNITED BUSINESS BROKERS, INC., UNITED BUSINESS CAPITAL, LLC, GRANTSVILLE REAL ESTATE, LLC, BIG SHOT RANCH, LLC, UTAH HOUSEBOATS, LLC, MICHAEL S. DRURY, TOM MAHER, and REBECA PHILLIPS,

Judge DALE A. KIMBALL

Defendants.

**ORDER**

The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the Court rules as follows:

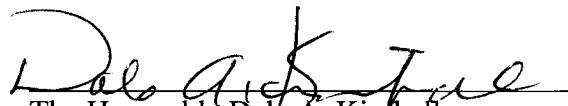
IT IS ORDERED that,

1. the complaint be unsealed and served upon the defendant by the relator;
2. all other contents of the Court's file in this action remain under seal and not be made public or served upon the defendant, except for this Order and the Government's Notice of Election to Decline Intervention, which the relator will

- serve upon the defendant only after service of the complaint;
3. the seal be lifted as to all other matters occurring in this action after the date of this Order;
  4. the parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;
  5. all orders of this Court shall be sent to the United States; and that
  6. should the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

IT IS SO ORDERED,

This 17<sup>th</sup> day of March, 2010.



The Honorable Dale A. Kimball,  
United States District Judge,  
District of Utah